

DECISION

Request No.: 11

Protest and Request for Redress

Event: 2023 Formula Kite Youth Europeans and KiteFoil Masters Worlds Race Number: 1
Hearing Schedule: 2023-05-26 17:45

PARTIES AND WITNESSES

Request No.: 11: YOUTH - Male - CZE 137 - Jindřich Houštěk

YOUTH - Male - FRA 117 - Eloan Roche

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. Wind 10 knots, flat sea.
2. CZE 137 and FRA 117 were sailing downwind on starboard tack, FRA 117 was 10 meters clear ahead and 5 meters to windward of CZE 134.
3. Immediately after FRA 117 gybed onto port and after 3 seconds there was contact between FRA 117's lines and CZE 137's leading edge.
4. Both competitors fell into the water.
5. There was damage on CZE 137's kite: about 10 small holes on the leading edge.
6. CZE 137 recovered after 30 seconds and continued racing without loss of performance.
7. FRA 117 took a one-turn penalty.
8. Before the incident, CZE 137 was in 5th place. CZE 137 finished the race in 12th position.
9. CZE 137 sailed the remaining races of the day with the same kite without loss of performance.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14, F4.44.1, 62.1(b)

1. FRA 117 on port did not keep clear of CZE 137 on starboard breaking rules 10 and 14.
2. It was not reasonably possible for CZE 137 to avoid the contact, therefore she did not break rule 14.
3. FRA 117 took the appropriate penalty as required by RRS F4.44.1.
4. CZE 137's place in race F1 was not made significantly worse because of physical damage. Therefore, the requirements for redress in RRS 62.1 are not met.

DECISION

Date & Time: 2023-05-26 18:24 CEST

The protest is upheld. Since FRA 117 took an applicable penalty, he is not further penalized under RRS 64.2(a).
Redress is not given to CZE 137.

PROTEST COMMITTEE

Committee Type: International Jury

Chaired By: Nikolaos Papageorgiou (GRE)

Committee Members: Marios Zisimatos (GRE), Anastazja Lewandowska (POL), Jan Stage (DEN), Ilca Heinrich (GER)